

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION**

VICTORIA FLORES, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

GRUBHUB INC., a Delaware corporation,

Defendant.

Case No. 1:16-cv-05105

Honorable Sharon Johnson Coleman

**AGREED MOTION FOR EXTENSION OF RESPONSIVE PLEADING DATE  
AND JOINT STATUS REPORT AND TO RESET INITIAL STATUS HEARING**

Plaintiff, Victoria Flores (“Plaintiff”), and Defendant, Grubhub Inc. (“Grubhub”), by their undersigned attorneys and pursuant to Federal Rule of Civil Procedure 6(b), respectfully file this joint agreed motion to (i) extend the time for Grubhub to respond to Plaintiff’s Complaint (currently due on August 17, 2016), (ii) extend the time to file the Joint Status Report (currently due on September 2, 2016), and (iii) and reset the initial status hearing scheduled for September 7, 2016 at 9:00 a.m. In support of this agreed motion, the parties jointly state as follows:

1. On March 31, 2016, Plaintiff filed a putative class action complaint against Grubhub in the Circuit Court of Cook County alleging that it sent unsolicited text messages in violation of the federal Telephone Consumer Protection Act. (Dkt. 1 at Ex. A.) Grubhub was served with the Complaint on April 11, 2016, and timely removed the Complaint to this Court on May 10, 2016. (Dkt. 1.)

2. After granting previous extensions, the Court has set Grubhub’s current deadline to file a responsive pleading as August 17, 2016. (Dkt. 12, 15, 18.) The Court also has set an

initial status hearing for September 7, 2016 at 9:00 a.m. and a deadline to file the joint status report three days in advance of that status. (Dkt. 18.)

3. The parties have continued to make substantial progress toward achieving a potential early resolution of this action, but still need to schedule a private mediation to work out their remaining issues. Rather than spend the resources to respond to Plaintiff's Complaint, submit a joint status report and attend an initial status conference, the parties believe that their efforts would be more appropriately spent trying to achieve a resolution of this action.

4. The parties therefore jointly request another extension of 30 days of all current deadlines. This motion is not being filed for purposes of delay but to try to determine if this case can be resolved efficiently by the parties.

**WHEREFORE**, the parties respectfully request that the Court:

- a. Extend Grubhub's responsive pleading date from August 17, 2016 to a date on or after September 16, 2016;
- b. Reschedule the initial status hearing from September 7, 2016 to a date after September 16, 2016 that is convenient to the Court; and
- c. Extend the deadline for submitting the joint status report until 3 days before the rescheduled status hearing.

Date: August 16, 2016.

Respectfully submitted,

**Victoria Flores,**  
*Plaintiff*

By: /s/ Courtney Booth  
One of Her Attorneys

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Respectfully submitted,

**Grubhub Inc.,**  
*Defendant*

By: /s/ Henry Pietrkowski  
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**CERTIFICATE OF SERVICE**

I, Henry Pietrkowski, an attorney for Plaintiff, hereby certify that on August 16, 2016, a true and correct copy of the foregoing **Agreed Motion for Extension of Responsive Pleading Date and Joint Status Report and to Reset Initial Status Hearing** was served upon all counsel of record by filing it through the ECF system.

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/s/ Henry Pietrkowski